

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Juan R. LOAIZA et al.

Serial No.: 10/635,708

Filed: August 5, 2003

For: METHOD AND MECHANISM FOR
RELATIONAL ACCESS OF
RECOVERY LOGS IN A DATABASE
SYSTEM

Group Art Unit: 2168

Examiner: LY, Cheyne D.

Confirmation No.: 1877

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to thank the Examiner for allowing the above-identified application.

The Examiner's Reasons for Allowance, as indicated in the June 26, 2009 Notice of Allowance, identify numerous reasons for allowance that may relate a plurality of claims. More particularly, the Reasons for Allowance purports that the currently pending claims 15-45 are allowed because "[t]he prior art of record fails to teach or suggest the claimed invention individually or in combination the limitations of 'establishing a view of the at least one of said database recovery logs; insulating said view from a format of the at least one of said database recovery logs; issuing a database statement to query said view; retrieving data from at least one of said database recovery logs in response to said database statement' as set forth in claim 1, and similarly in claims 15, 26, and 36." The Notice of Allowance further purports that "[t]he closest prior art, Downing et al. and Lindsay et al., describes a method for fast refresh of snapshots

containing subqueries. However, Downing et al. and Lindsay et al. does [sic] not teach or suggest the limitations cited above as being free of any prior art when read in the claims as a whole."

Nonetheless, Applicants first respectfully submit that the original claim 1 of the instant Application was canceled in the preliminary amendment dated Aug. 05, 2003. Applicants further note that the application includes independent claims, where each independent claim may recite limitations that are different from or not present in other claims. As such, Applicants respectfully submit that the independent claims and their respective dependent claims are believed to be allowable for what they respectively recite rather than whether or not the prior art references fails to disclose any particular claimed limitations or some rephrased or paraphrased elements thereof. In addition, Applicant(s) hereby explicitly retracts and rescinds any and all of the arguments and disclaimers presented to distinguish the prior art of record during the prosecution of all parent and related application(s)/patent(s).

If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,

Date: September 25, 2009

By: /Erich C. Tzou/
Erich C. Tzou
Registration No. 56,927

VISTA IP LAW GROUP LLP
1885 Lundy Ave., Suite 108
San Jose, CA 95131
Telephone: (408) 321-8663 Ext. 205
Facsimile: (408) 877-1662